

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

UNITED STATES

V.

NO. 04-10231 (MLW)

SEAN SACCO

DEFENDANT'S MOTION TO BE
EXCUSED FROM PRETRIAL HEARING AND TO
ALLOW SUBSTITUTION OF COUNSEL FOR PURPOSES OF
PRETRIAL CONFERENCE OR TO ALLOW BRIEF CONTINUANCE

Now comes the Defendant, Sean Sacco's lawyer in the above-captioned matter, and requests that this Court excuse him from appearing at the scheduled June 17, 2005 Pre-trial Conference and to allow Attorney Roger Witkin to substitute for him at said Pre-trial Conference.

As reason therefor the Defendant's lawyer will be out of the District of Massachusetts with his family on a previously arranged vacation that was scheduled prior to receipt of the June 17, 2005 pre-trial date.

The Defendant's lawyer has conferred with Attorney Witkin relative to the pre-trial conference and the Defendant's position relative to trial and he believes that his client's interests will be adequately protected without causing further delay to the proceedings.

In the alternative, the Defendant's lawyer requests a brief continuance until after June 22, 2005. The grounds for the request are those set forth above in support of the request to be excused from the pre-trial conference.

Respectfully submitted,

/S/ William M. White, Jr.
WILLIAM M. WHITE, JR.
BBO#: 546283
Davis Robinson and White, LLP
1 Faneuil Hall Marketplace, 3rd Floor
Boston, MA 02109
(617) 723-7339

Dated: June 11, 2005

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CERTIFICATE OF SERVICE

I, William M. White, Jr., hereby certify that on this June 11, 2005, I have served a true copy of the above Defendant's Motion To Be Excused From Pretrial Hearing And To Allow Substitution Of Counsel For Purposes Of Pretrial Conference Or To Allow Brief Continuance upon the attorney of record for the United States, Assistant United States Attorney Victor Wild, and a courtesy copy to Dennis O'Leary, Courtroom Deputy Clerk to the Honorable Mark L. Wolf, by mail and electronic filing, which was e-filed this day,

/s/ William M. White, Jr.
WILLIAM M. WHITE, JR.
BBO#: 546283
Davis, Robinson & White, LLP
1 Faneuil Hall Marketplace, 3rd Floor
Boston, MA 02109
(617) 723 - 7339

DATE: June 11, 2005